

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

No. 4:23-CR-00273

v.

(Chief Judge Brann)

BRIAN LUPREK,

Defendant.

ORDER

MARCH 29, 2024

BACKGROUND:

On October 14, 2023, a grand jury sitting in the Middle District of Pennsylvania returned an Indictment as to the above-named defendant. Jury selection and trial are currently scheduled for April 1, 2024.

On March 28, 2024, Defendant moved for a continuance of jury selection and trial because the case is not ready for disposition and plea negotiations are pending. Defendant has obtained concurrence of all counsel and opposing counsel. Trial will be continued to the June 2024 term of this Court.

The court makes the following findings:

1. Defendant's counsel has requested a continuance because the case is not ready for disposition and plea negotiations are pending.
2. Failure to grant the requested continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

3. Failure to grant the requested continuance would be likely to result in a miscarriage of justice.

4. The ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial.

5. For purposes of the Speedy Trial Act, the period of delay resulting from the requested continuance is excludable in accordance with 18 U.S.C. § 3161 (h)(7)(A).

NOW, THEREFORE, IT IS ORDERED that:

1. Defendant's Motion to Continue Jury Selection and Trial, Doc. 38, is **GRANTED**.

2. Jury selection is continued from April 1, 2024 to **June 3, 2024 at 9:30 a.m.**, in Courtroom No. 1, United States Courthouse and Federal Building, Fourth Floor, 240 West Third Street, Williamsport, Pennsylvania.

3. The deadline for filing pretrial motions is extended until May 3, 2024.

4. For purposes of the Speedy Trial Act, the period of delay resulting from this continuance is excluded in accordance with 18 U.S.C. § 3161 (h)(7)(A).

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge